

EDUCATIONAL EXAMINERS BOARD[282]

Adopted and Filed

Pursuant to the authority of Iowa Code section 272.2, the Board of Educational Examiners hereby amends Chapter 25, "Code of Professional Conduct and Ethics," Iowa Administrative Code.

2010 Iowa Acts, House File 2286, amended Iowa Code section 272.2, subsection 14, paragraph "b," subparagraph (1), subparagraph division (b), subparagraph (iii), to remove the language regarding a detention in a brothel. This same language is in the Board's rules and therefore must be amended.

Notice of Intended Action was published in the Iowa Administrative Bulletin on July 28, 2010, as **ARC 8970B**. A public hearing on the amendment was held on Wednesday, August 18, 2010. No one attended the public hearing, and no written comments were received. This amendment is identical to that published under Notice.

This amendment is intended to implement Iowa Code section 272.2 as amended by 2010 Iowa Acts, House File 2286.

This amendment will become effective December 8, 2010.

The following amendment is adopted.

Amend subparagraph **25.3(1)"b"(1)** as follows:

(1) Disqualifying criminal convictions. The board shall deny an application for licensure and shall revoke a previously issued license if the applicant or licensee has, on or after July 1, 2002, been convicted of, has pled guilty to, or has been found guilty of the following criminal offenses, regardless of whether the judgment of conviction or sentence was deferred:

1. No change.
2. Any of the following criminal sexual offenses, as provided in Iowa Code chapter 709, involving a child:
 - First-, second- or third-degree sexual abuse committed on or with a person who is under the age of 18;
 - Lascivious acts with a child;
 - ~~Detention in a brothel;~~
 - Assault with intent to commit sexual abuse;
 - Indecent contact with a child;
 - Sexual exploitation by a counselor;
 - Lascivious conduct with a minor; or
 - Sexual exploitation by a school employee;
3. to 5. No change.

[Filed 10/15/10, effective 12/8/10]

[Published 11/3/10]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 11/3/10.